



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0002/11</b>
<b>2</b>	<b>Advertiser</b>	<b>Queensland Transport</b>
<b>3</b>	<b>Product</b>	<b>Community Awareness</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>09/02/2011</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.2 - Violence Community service advertising

### DESCRIPTION OF THE ADVERTISEMENT

Five television ads in total are named in the complaint. All are branded with the same ending of Slow down stupid:

1. Nightmare – Beach scene, young male driver kills his girlfriend in a speed related crash.
2. Faces - shows the faces of actors portraying dead mothers, fathers, sons, daughters, friends and lovers who have all been killed as a result of speeding crashes.
3. In a Flash - highlights what fathers with young families potentially have to lose if they are killed suddenly and unexpectedly in a speeding crash. Also shows affect on wife left behind.
4. It Hurts - shows a young male who has run into the back of another car. It highlights consequences other than death, such as fines, the loss of points and potentially licence, and even your job.
5. 3 Little Words - husband and wife, with the wife saying she doesn't want her husband to die from something as stupid as speeding.

### THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

*The series of ads titled 'faces' 'in a flash' 3 little words' 'nightmares' and 'it hurts' are a series of Queensland government ads aired on television to enforce the message of 'slow down*

*stupid' (anti vehicle speeding campaign). All of the above mentioned ads contain significant horror/ gore scenes depicting dead bodies, bloodied injured or distorted human bodies, bloodied head injuries or blood spattered vehicles. The ad titled 'faces' depicts a series of corpses in a morgue, naked and covered by blankets. This advertising is frequently on television and has been aired during evening children shows (kids movies and Christmas movies) where my young children have been awake (about 8:30pm) and watching the shows and have witnessed these full colour ads and their depiction of blood, death and mutilation. Just because they are the government doesn't mean they should have the right to show such offensive and graphic 'shock material' on television. The content is disturbing and unnecessary, especially when aired during times where children may be awake.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*MT5ZOPLA (Nightmare) = Rated M*

*WPE51PLA (Three Little Words) = Rated W*

*MPE55PLA (Faces) = Rated M*

*WT5YZPLA (It Hurts) = Rated W*

*PPE52PLA (In a Flash) = Rated PG*

*Advertiser response to complaint*

*Speeding is one of the primary contributing factors to Queensland's road toll, and has been for many years. In an effort to reduce speed-related crashes and resulting fatalities, the Department of Transport and Main Roads undertakes anti-speeding social marketing campaigns.*

*The complainant has viewed all five of the Slow down stupid commercials that have been aired over the past two years since the campaign launched in November 2010. Note only two of these commercials have recently been on air (Nightmare and It hurts) over November 2010 to January 2011. The last time Faces was on air was November 2009/January 2010.*

*This response relates to relevant sections of the ANA Code of Ethics:*

- 2.2 - Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.*

*And AANA Code for Advertising & Marketing Communications to Children:*

- 2.3 Placement - Advertising or Marketing Communications to Children must not be placed in Media where editorial comment or program content, in close proximity to that communication, or directly accessible by Children as a result of the communication, is unsuitable for Children according to Prevailing Community Standards.*

- 2.6 Social Values - Advertising or Marketing Communications to Children must not portray images or events in a way that is unduly frightening or distressing to Children.*

*Complaint that the ads are disturbing and unnecessary*

*The purpose of the advertising is not to cause distress or offend people, but to contribute towards reducing our road toll.*

*While the ads are very emotional, the approach is warranted if it can help save lives on our roads. This road safety advertising is based on extensive research which showed the approach to be effective because it appeals to viewers on an emotional level.*

*Graphic imagery*

*The Slow down stupid campaign uses emotive, and sometimes graphic, commercials. Unfortunately this is what we have to show to get the message through to the primary speeding offenders – males aged 17 to 39 years.*

*Significant market research was undertaken to ensure we developed a campaign that would impact males at different stages of their lives.*

*In developing this new anti-speeding campaign, a variety of advertising concepts including genres other than 'shock' advertising were tested with the target audience of male drivers aged 17 - 39 who admit to speeding and other 'influencers' such as wives and girlfriends. These commercials were the most effective in making the audience take notice and actually consider slowing down.*

*This testing clearly showed this audience needs and wants to be shown some level of graphic imagery for anti-speeding messages to affect to them to the point of making them consider changing their behaviour. This imagery varied from vision of crashed cars to injured or dead victims of road crashes.*

*Other concepts which weren't as 'dark' or 'shocking' as these commercials did not test as strongly with the audience.*

*A main motivator to decrease speed has been found to be avoidance of physical harm or death to others and to one self. This finding was supported during research of the advertising concepts with the target audience. Respondents indicated these commercials would make them think twice about speeding and that the concepts were relevant to them. The results of the testing are consistent with expert opinion which generally considers highly emotive advertising to be most effective in influencing behaviour as long as the content is relevant to the audience. Graphic and emotive ads are also more often recalled than other styles of advertising.*

*What is considered shock advertising should also be kept in context of the horror that actually happens on our roads as a result of fatal speed crashes. The vision in these ads has been toned back in black and white and in most commercials do not show imagery of those killed in speed crashes.*

*We developed this campaign to appeal to the audience of 17-39 year old males using a style that they specified would make them take notice of dangers of speeding and make them consider slowing down to the speed limit.*

*Evaluation results from the first and second phases of the campaign from an independent survey of 400 Queensland motorists has proven the approach of this campaign is successful:*

- *four in every five (81%) agreed 'since seeing the advertising I'm less inclined to speed',*
- *75% agreed they 'check the speedo more often'.*
- *two thirds (68%) said "Since seeing the advertising I have encouraged family and friends to drive at, or below, the speed limit".*
- *90% agreed "The advertising reminds me that speeding is unacceptable".*

*There was also very strong support for the campaign with 81% of respondents saying they supported it strongly and 11% saying they supported it slightly.*

*Placement of the commercials*

*The 'Nightmare' and 'Faces' ads are rated M. Under this rating the commercials may be broadcast during the following hours, except during P and C programs or adjacent to P or C periods:*

- *Weekdays (schooldays):*
  - o *8.30pm-5.00am (see Note)*
  - o *12 noon-3.00pm*
- *Weekdays (school holidays) & Weekends:*
  - o *8.30pm-5.00am (see Note)*

*Note: not in G or PG programs or sport starting at or continuing past 8.30pm. If the program continues past 10.30pm, this restriction ceases to apply.*

*The Department of Transport and Main Roads has reviewed the spot schedules for the most recent placement and identified that the Nightmare commercial was always placed after 8.30pm, but on one night appeared during a Carols by Candlelight broadcast after this time. The department agrees is not an appropriate placement for that commercial due to the high likelihood of a large child audience. Unfortunately we did not have the opportunity to review the spot schedules before the advertising was aired to identify this inappropriate placement. We have asked the media booking agency to ensure for future bookings that extra care be exercised when placing these commercials, even after 8.30pm if they appear in programs that will be promoted to children or likely to attract a substantial child audience to ensure this type of placement does not happen again.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement contains significant horror scenes which are disturbing and offensive and should not be shown when children are viewing.

The Board reviewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement complied with section 2.2 of the Code which requires that advertisements ‘shall not present violence unless it is justifiable in the context of the product or service advertised.’

The Board noted that the main purpose of the advertisement was to educate the public on the consequences of speeding and the images shown related directly to the message of the advertisement.

The Board noted that this advertisement has been classified M by CAD and not intended to be viewed by young children. The Board noted that the ad was broadcast in error on at least one occasion.

The Board considered that although the ad was inadvertently shown in an earlier timeslot, overall the content of the advertisement was relevant to the message, and that the advertisement struck the right balance of information and graphic imagery. Consistent with previous decisions about public health and safety advertisements, the Board considered that a higher degree of graphic detail is appropriate given the important message of this advertisement.

The Board considered that, although some members of the public would find the advertisement to be disturbing, the images depicted in the advertisement are not offensive and

are relevant to the important public health and safety message that the advertisement is attempting to convey. The Board considered that the advertisement did not breach section 2.2 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.